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Attorneys for Defendant  
Russell E. Burns

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DAVID SLACK, individually, and on behalf  
of all others similarly situated, *et al.*

Plaintiffs,

vs.

INTERNATIONAL UNION OF  
OPERATING ENGINEERS, a trade union, *et al.*

Defendants.

Case No.: 3:13-cv-05001-EMC

CLASS ACTION

**~~PROPOSED~~ ORDER TO DISMISS  
RUSSELL E. BURNS FROM CERTAIN  
STATE LAW CLAIMS IN THE FIRST  
AMENDED COMPLAINT**

The Court has received and reviewed the Stipulation entered into by and between all Plaintiffs and Defendant Russell E. Burns, for the stated purpose of dismissing certain state law claims in the First Amended Complaint ("FAC") against Russell E. Burns. The stipulation is GRANTED and it is ORDERED that:

1. Plaintiffs, in their individual capacities as no class has been certified in this matter, hereby dismiss with prejudice Defendant Russell E. Burns from the FAC's Tenth, Seventeenth and Eighteenth Claims for Relief.

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1 2. The parties are to bear their own fees and costs.

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3 IT IS SO ORDERED.

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5 Dated: ~~April~~ 5/5, 2014

